

SENATE BILL 470  
By Haynes

AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 7, Part 23, relative to diabetes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 23, is amended by adding the following language as a new section within that part:

(a) Notwithstanding any other provision of the law to the contrary, any individual, franchise, blanket, or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society, health maintenance organization which provides hospital, surgical, or medical expense insurance shall provide coverage for equipment, supplies, and outpatient self-management training and education, including medical nutrition therapy, for the treatment of diabetes.

(b) The provisions of this section are applicable to all health benefit policies, programs, or contracts which are offered by commercial insurance companies, nonprofit insurance companies, health maintenance organizations, preferred provider organizations, and managed care organizations, and which are entered into, delivered, issued for delivery, amended, or renewed after January 1, 1998.

(c) The following equipment and supplies for the treatment of diabetes must be included in the coverage provided pursuant to subsection (a), when prescribed by a physician for the care of any individual patient with diabetes:

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- (1) Blood glucose monitor and blood glucose monitors for the legally blind;
- (2) Test strips for blood glucose monitors;
- (3) Visual reading and urine test strips;
- (4) Insulin;
- (5) Injection aids;
- (6) Syringes;
- (7) Lancets;
- (8) Insulin pumps and appurtenances thereto;
- (9) Insulin infusion devices;
- (10) Oral hypoglycemic agents;
- (11) Podiatric appliances for prevention of complications associated with diabetes; and
- (12) Glucagon emergency kits;

Upon the approval of new and improved equipment and supplies for the treatment of diabetes by the United States Food and Drug Administration, the commissioner of the Tennessee department of health shall, by rule, add such additional equipment and supplies to the above list, and such additional equipment and supplies must be included in the coverage provided pursuant to subsection (a).

(d) For purposes of this section, the term “patient with diabetes” shall include all persons with insulin-using diabetes, non-insulin-using diabetes, or gestational diabetes, and all persons with a medical condition which wholly or partially consists of elevated blood glucose levels.

(e) To ensure that patients with diabetes are educated as to the proper self-management and treatment of their diabetes, diabetes outpatient self-management training and educational services, including medical nutrition therapy, must be included

in the coverage provided pursuant to subsection (a), when prescribed by a physician for the care of an individual patient with diabetes. Diabetes outpatient self-management training and educational services, including medical nutrition therapy, shall be provided, upon referral by a physician, by a certified, registered, or licensed health care professional with expertise in diabetes management. The commissioner of the Tennessee department of health may adopt rules specifying the categories of health care professionals who have expertise in diabetes management and whose services must be included in the coverage required by subsection (a). The coverage required by subsection (a) for diabetes outpatient self-management training and education shall be limited to the following:

(1) Visits which are certified by a physician to be medically necessary upon the diagnosis of diabetes in a patient;

(2) Visits which are certified by a physician to be medically necessary because of a significant change in a patient's symptoms or condition which necessitates changes in the patient's self-management; and

(3) Visits which are certified by a physician to be medically necessary for re-education or refresher training.

Diabetes outpatient self-management training and educational services may be provided in group settings where practicable, and shall include home visits where medically necessary.

(f) The benefits required by this section may be subject to the annual deductible and co-insurance established for all other similar benefits within a given policy, program, or contract of insurance, so long as the annual deductible and co-insurance for the benefits required by this section is not greater than the annual deductible and co-insurance established for all other similar benefits within that policy, program or contract of insurance.

(g) A health insurance carrier shall not reduce or eliminate coverage due to the requirements of this section.

SECTION 2. This act shall take effect July 1, 1997, the public welfare requiring it.